REMARKS

Applicant and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. In the Office Action dated July 17, 2008, pending Claims 1, 2, 4-11 and 20-24 were rejected. Claims 1, 4, 6, 8, 10, and 20-22 are independent; the remaining claims are dependent. In response, Applicants have rewritten the independent claims. The Examiner is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the foregoing amendments and the following remarks.

It should be noted that Applicants have previously amended certain claims in this application. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Examiner, as the present claim amendments are only for facilitating expeditious prosecution of the instant application. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications. Applicants specifically state no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Applicants note that their previously submitted remarks of May 5, 2008 remain applicable and are therefore incorporated by reference here. Applicants kindly remind the Examiner that the present invention broadly contemplates methods and systems that generally relate to markup text data error correction. In accordance with the present invention, errors and incorrect conversions that tend to occur during the re-input of text

can be detected. Additional representative data can be added to the markup text data

which represents and describes the data identified as being a source of error in future data

text re-input. In accordance with the present invention, the additional representative data

can be used to determine the original data that it represents, thus, enabling the prevention

of common errors associated with markup text data re-input.

Rejections under 35 USC 103(a)

Claims 1, 2, 4-11 and 20-23 stand rejected under 35 USC 103 as being

unpatentable over U.S. Patent 6,618,697 to Kantrowitz et al. (hereinafter Kantrowitz) in

view of U.S. Patent 5,920,878 to DeMont (hereinafter DeMont). Claim 24 stands rejected

under 35 USC 103 as being unpatentable over Kantrowitz in view of DeMont and further

in view of Kopec (U.S. Patent No. 5,883,986 (hereinafter Kopec)).

As an initial matter, Applicant objects to the Examiner's use of an "Examiner

note" on pp. 3 of the Office Action. It is well understood that:

> [a]ny rejection based on assertions that a fact is well-known or is common
> knowledge in the art without documentary evidence to support the
> examiner's conclusion should be judiciously applied. Furthermore…any
> facts so noticed *should be of notorious character and serve only to "fill in
> the gaps" in an insubstantial manner…It is never appropriate to rely
> solely on common knowledge in the art without evidentiary support in the
> record as the principal evidence upon which a rejection was based*.
> *MPEP* 2144.03(E) (citations omitted) (emphasis added).

There is a complete lack of documentary support for the "note" cited against the claims.

Moreover, the claims do not call for "word processing documents and OCR documents"

to be exchanged, but rather for "***data written in a markup description language* that is**

to be exchanged between computing devices…" Claim 1 (emphasis supplied). Thus, Applicants respectfully submit that this is clear error and request reconsideration and withdrawal of the rejections.

Applicants respectfully submit that the cited references *do not teach what the Examiner has cited them for* because the Examiner is chopping up the claim limitations into unwarranted parts. It is incorrect to cite the references in such a piecemeal fashion. The Examiner's combinations are improper as one could not possibly combine any error correction support (e.g. grammar and spell checker taught by Kantrowitz) with any error correcting code (e.g. "Hamming code" taught by DeMont) to practice the instantly claimed invention which deals with **errors in markup description language**.

Applicants respectfully submit that the Examiner is confusing the teachings of the cited references with one another in making an improper rejection of the claims. Kantrowitz teaches nothing about correcting data written in markup description language using a tag set as the claims require. (See Claim 1). Thus, the Examiner cites it for teaching something else, to wit: "providing error correction support for application data…" and relies on DeMont for teaching "…written in a markup language…" and additionally relies on the "Examiner note" for teaching "…that is to be exchanged between computing devices". *Office Action*, pp. 3. The Applicants are very aware that the Examiner is relying on DeMont for teaching the "tag set" and "markup language", etc.; this is also error and will be addressed below. The Applicants main concern is the piecemeal fashion whereby the Examiner attempts to read unrelated teachings onto the claims by dicing up the claims into unnatural parts.

Likewise DeMont is essentially irrelevant and does not teach what it is cited for. As best understood, DeMont teaches an invention "capable of hiding a message, such as, for example, a copyright notice or other indici[a] of authorship, in an electronic document." *DeMont*, Abstract. This alone should suggest that the reference is irrelevant and should not be relied upon in combination the other irrelevant reference, Kantrowitz.

The Examiner makes much of the fact that "DeMont teaches the characters in the document are converted to an ASCII string which are concatenated to form an 80-bit binary string then augmented with a [vis] error correcting code such as Hamming code in order to increase the likelihood that the message can be recovered should it be edited by an infringer…" and asserts this "meets the portion of the limitation, ***defining a tag set to prevent errors; using the tag set to add rewritten information***." *Office Action*, pp. 4 (emphasis in original). However, Applicants respectfully note that the Examiner cites "Hamming code" against the "defining a tag set to prevent error; using the tag set to add rewritten information" knowing full well that the claims make clear it is a tag set for "data written in a markup description language." Claim 1. Clearly "Hamming code" provides error correction for data rendered in a binary string, not for "data written in a markup description language." Claim 1. Thus, "Hamming code" as taught in DeMont could not even be used as the "tag set" in the instantly claimed invention.

Moreover, nowhere in DeMont is the information "rewritten" with the assistance of the tag set, as the claims require. DeMont simply uses "Hamming code" to recapture the proper binary code should it be edited by an unauthorized party (e.g. an "infringer"). Again, this simply has nothing to do with the instantly claimed invention.

DeMont also mentions "tags", but these **are the markup characters themselves** not the "a tag set to prevent errors" to be used in *rewriting* the data in the markup description language, as required by the claims. *DeMont*, Col. 3, lines 35-45. Only thereafter does DeMont mention the "Hamming code", which is **used to augment binary code**, not the markup description language. *DeMont*, Col. 4, lines 18-26.

Thus, the Examiner makes piecemeal citations against the claims that do not teach what they are cited for. Specific examples have been given herein. The references are irrelevant in that none of them deals at all with correcting markup description language. Nothing in the teachings of Kopec accounts for the deficiencies of Kantrowitz and DeMont recounted above. Applicants respectfully reserve the right to submit further remarks regarding Kopec should the need to do so arise.

Conclusion

In view of the foregoing, it is respectfully submitted that Claims 1, 4, 6, 8, 10, and 20-22 are fully distinguishable over the applied art and are thus allowable. By virtue of dependence from Claims 1, 4, 6, 8, 10, and 20-22, it is thus also submitted that Claims 2, 5, 7, 9, 11, 23 and 24 are also allowable at this juncture.
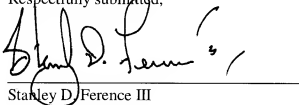
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In summary, it is respectfully submitted that the instant application, including Claims 1, 2, 4-11 and 20-24, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. **Applicant also respectfully requests the courtesy of a telephone interview should the Examiner have any further issues with respect to this application.**

Respectfully submitted,

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